

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1480

IN THE MATTER OF:

Application of IRONSIDES)	Served December 12, 1975
MEDICAL TRANSPORTATION)	
CORPORATION for Temporary)	Application No. 891
Authority to Perform)	
Special Operations or)	Docket No. 303
Charter Operations)	

By Application No. 891, filed December 3, 1975, Ironsides Medical Transportation Corporation (Ironsides) seeks temporary authority, pursuant to Title II, Article XII, Section 4(d)(3) of the Compact, to transport passengers, over irregular routes, in special operations or charter operations, between points located within the Metropolitan District. Ironsides would provide transportation to disabled, infirm, handicapped, or wheelchair passengers, together with their baggage, and their attendants.

Ironsides proposes to perform the service with four vans, which would be specially adapted to the planned transportation service. Ironsides also filed as part of its application a schedule of three separate rates. Rate A would apply to transportation within a five mile radius from the origin point and would be \$20 one-way and \$35 round trip. Rate B would apply to transportation beyond a five mile radius from the origin point and would be the applicable Rate A plus \$1 per mile for each mile beyond the five mile radius. Rate C would be a negotiated rate for high frequency business. Ironsides apparently has two contracts for high frequency business. One is between Ironsides and

D. C. Medicaid and involves an estimated 2000 trips per year and the other is between Ironsides and Rodgers D. C. Memorial Hospital and involves an estimated 200 to 400 trips per year. The presently negotiated rate for such high frequency business is \$25 per round trip. 1/

Under Title II, Article XII, Section 4(d)(3) of the Compact, the Commission must base any decision to grant temporary authority to provide a specific service upon the findings that there is an immediate and urgent need to a point or points within a territory and that there is no carrier service capable of meeting such need. So finding, the Commission may, in its discretion and without hearings or other proceedings, grant temporary authority.

Ironsides was started by Richard N. Everett in October 1973 and incorporated in November 1974. It apparently provides for the special transportation needs of handicapped, disabled, infirm, or wheelchair patients. In order to meet these needs, Ironsides' vehicles are equipped with electro-hydraulic lifts to insure safe and easy entrance, air-conditioning, carpeting and panelling, safety tie-downs for wheelchairs, and seat belts. Ironsides submits that the immediate and urgent need for its services is demonstrated by its full capacity operations during the last 24 months. Ironsides states that it has transported during this period approximately 6,000 people. According to Ironsides, these persons have been incapable, due to physical infirmities, of traveling by private vehicle but do not require stretcher transportation.

Ironsides states that approximately ten taxicab operators in the District of Columbia engage in transportation services similar to those it provides. According to Ironsides, these operators do not have the equipment required to ensure the safe and comfortable transportation of handicapped, disabled, infirm or wheelchair patients in accordance with their needs.

1/ The Rate C service may constitute contract operations. This matter shall be considered at the public hearing hereinafter scheduled and will be discussed in the order disposing of this application.

In addition, Ironsides indicates that Rehab Transportation Company (Rehab) operates 5 or 6 vehicles. By Order No. 1475, served November 20, 1975, the Commission has scheduled for public hearing Rehab's Application No. 888 for a certificate of public convenience and necessity to perform special operations.

Ironsides' counsel has indicated that at the time it was incorporated the directors investigated state licensing requirements in the District of Columbia, State of Maryland and Commonwealth of Virginia. According to counsel, these investigations did not disclose the existence of this Commission. Ironsides then decided to file an application with the Interstate Commerce Commission in March of 1975. According to counsel, it was then that counsel became aware of the need to obtain authority from this Commission to engage in local operations.

By Application No. 817, filed August 31, 1973, Ironsides sought temporary authority to engage in the transportation of non-emergency invalid and wheelchair confined patients to and from hospitals, clinics, doctors' office, social functions, and other places within the Metropolitan District. The Commission scheduled that application for public hearing to commence February 4, 1975. See Order No. 1390, served December 23, 1974. By letter dated January 29, 1975, Ironsides, through its then counsel, requested a continuance to allow for the filing of a permanent authority application and a request for a consolidated hearing on both applications. By Order No. 1403, served January 31, 1975, the Commission continued the hearing until further order. Counsel neither filed a permanent authority application nor requested hearing on the temporary authority. By Order No. 1417, served April 3, 1975, the Commission dismissed Ironsides' Application No. 817.

Ironsides now has filed another application for temporary authority. Moreover, counsel indicates that Ironsides regrets its failure to file with the Commission earlier. The Commission believes that the present record must be further developed. Accordingly, a public hearing shall be scheduled and Ironsides shall be assessed an amount preliminarily estimated to be sufficient to cover the expenses which the Compact, Title II, Article XII, Section 19(a) requires the carrier to bear. The purpose for the public hearing shall be to develop the record with respect to Ironsides' fitness to perform, the nature of the immediate and urgent need, and the carriers capable of rendering the proposed transportation service.

THEREFORE, IT IS ORDERED:

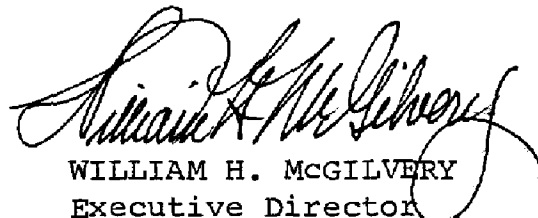
1. That Application No. 891 of Ironsides Medical Transportation Corporation be, and it is hereby, scheduled for public hearing to commence Thursday, January 15, 1976, at 10:00 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

2. That Ironsides Medical Transportation Corporation publish in a newspaper of general circulation in the Metropolitan District a notice in the form prescribed by the staff of the Commission of such application and hearing no later than Saturday, December 20, 1975, and present at the hearing a certificate of publication from the selected newspaper of general circulation in the Metropolitan District a notice in the form prescribed by the staff of the Commission of such application and hearing no later than Saturday, December 20, 1975, and present at the hearing a certificate of publication from the selected newspaper.

3. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Friday, January 9, 1976, and shall mail a copy of such protest or notice to counsel of record for Ironsides Medical Transportation Corporation, Stanton D. Anderson, Esquire, Surrey, Karasik and Morse, 1156 - 15th Street, N. W., Washington, D. C. 20005.

4. That Ironsides Medical Transportation Corporation be, and it is hereby, assessed \$200 pursuant to the provisions of the Compact, Title II, Article XII, Section 19 and directed to deposit said amount in the name and to the credit of the Washington Metropolitan Area Transit Commission in the American Security and Trust Company, 1612 K Street, N. W., Washington, D. C., on or before Friday, January 9, 1976.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director